

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SLYDE ANALYTICS LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Case No. 2-23-cv-00083-RWS-RSP

JURY TRIAL DEMANDED

**NOTICE OF IPR INSTITUTION FOR ASSERTED '033 PATENT AND
SUPPLEMENTAL AUTHORITY FOR MOTION TO STAY (DKT. No. 42)**

Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung") filed a Motion To Stay Until Conclusion of PTAB Proceedings Relating to the Pending Petitions for Inter Partes Review. See Dkt. Nos. 42, 44, 47, and 48. Relating to this pending motion, Samsung respectfully notifies the Court that, on March 22, 2024, the Patent Trial and Appeal Board ("PTAB") of the United States Patent and Trademark Office instituted review of one of the patents-in-suit: U.S. Patent Nos. 8,588,033 ("the '033 Patent"). See Ex. A (IPR2024-00006, Decision Granting Institution of *Inter Partes* Review).

In its institution decision, the PTAB stated:

Upon consideration of the Petition, the Preliminary Response, and the evidence of record, for the reasons given below we determine the information presented in the Petition demonstrates there is a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of at least one challenged claim of the '033 patent.

Ex. A at 3. Accordingly, the PTAB instituted an *inter partes* review of **all** claims of the '033 Patent, which encompasses all claims of the '033 Patent asserted in this lawsuit.

The PTAB has not yet issued orders regarding institution of the petitions requesting *inter partes* review of all claims of the remaining three patents-in-suit.

DATED: March 26, 2024

Respectfully submitted,

By: /s/ Ryan Yagura
Ryan Yagura (TX #24075933)
ryagura@omm.com
Nicholas Whilt (admitted pro hac vice)
nwhilt@omm.com
Grace McFee (admitted pro hac vice)
gmcfee@omm.com
O'MELVENY & MYERS LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071
Telephone: (213) 430-6000
Facsimile: (213) 430-6407

Timothy Durst (TX #786924)
tdurst@omm.com
Jeffery Baxter (TX #24006816)
jbaxter@omm.com
O'MELVENY & MYERS LLP
2501 North Harwood Street
Dallas, TX 75201
Telephone: (972) 360-1927
Facsimile: (972) 360-1901

Brad Berg (admitted pro hac vice)
bmberg@omm.com
O'MELVENY & MYERS LLP
610 Newport Center Drive, 17 Floor
Newport Beach, CA 92660
Telephone: (949) 823-6900
Facsimile: (949) 823-6994

Melissa R. Smith (TX #24001351)
melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

*Counsel for Samsung Electronics Co, Ltd. and
Samsung Electronics America, Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on March 26, 2024 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Ryan Yagura
Ryan Yagura
O'Melveny & Myers LLP